

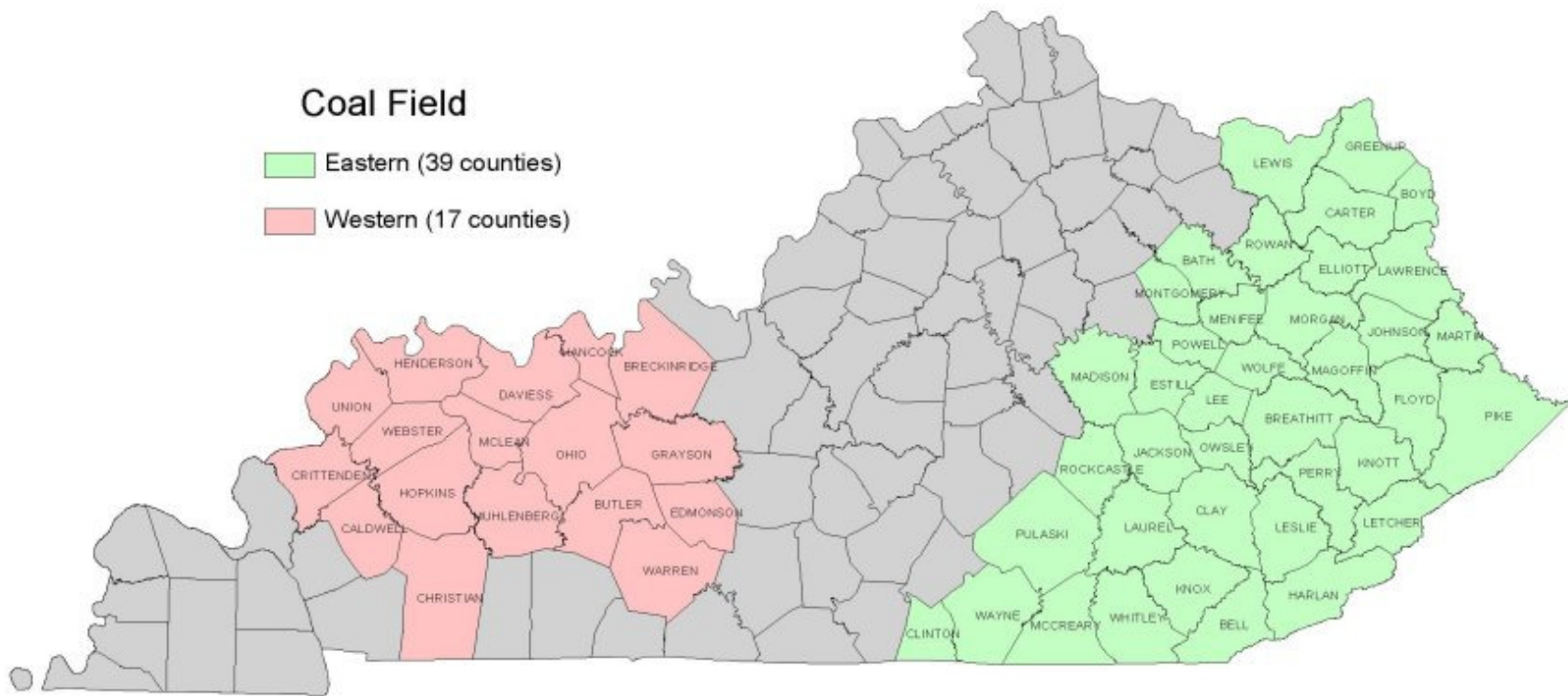
# COAL GENERAL PERMITS

## OVERVIEW

9/10/2019



# Kentucky Coal Counties



# 2019 Update Agenda

- CTAB Presentation
- Eligibility & Exclusions Requirements
- 2019 GP Changes
- Monitoring
  - WET Testing
  - SIO Outfalls
  - Transitioning to RA / Removal
- Applying
  - eNOI Access
  - Form and Submittals



# 2019 Update Agenda

- Reporting
  - DMRs
  - NODI codes
- PMSM Form Updates and Requirements
- In-Stream Monitoring Updates
- Laboratory Certification
- Enforcement Presentation



# Permit Conditions

## Eligibility and Exclusions

Amy Van Horne



# Eligibility Requirements

- KYGE40000
  - 1) Obtained or in the process of obtaining a SMCRA permit
  - 2) Located in EKY
- KYGW40000
  - 1) Obtained or in the process of obtaining a SMCRA permit
  - 2) Located in WKY
  - 3) No continuous discharges

# Exclusions

## KYGE40000 & KYGW40000

- 1) Coal related pollutants that directly discharge to:
  - a) \* Impaired Waters with approved TMDL,
  - b) \* CAH
  - c) \* OSRW with T&E species,
  - d) ONRW, or
- 2) 5 Mile Rule, or
- 3) DOW determines is more appropriately addressed by an individual permit.

\* Be aware of new listings. These might require existing sites to be covered under IPs. Contact us if you have questions.



# 2019 Permit Changes

- When your renewal coverage is issued, these requirements become effective:

- 1) Selenium updated to WQS
- 2) When the selenium sampling is triggered by the 5 µg/l, there are 2 Fish Tissue options:
  - a) Whole-Body Fish Tissue of 8.6 mg/Kg dry weight, or
  - b) Fish Fillet of 11.3 mg/Kg dry weight
- 3) Selenium reduced to quarterly monitoring
- 4) In-stream is now **Continuous Flow Sediment Control Structures**
  - Natural drainage way
  - Continuous discharge
  - Receive drainage from HF underdrain
- 5) Bench are now **Non-Continuous Flow Sediment Control Structures**





# 2019 Permit Changes cont.

- 5) Outfall requiring treatment beyond sedimentation to achieve WQS, it is not eligible for RA until 12 months without treatment.
- 6) Substantially in compliance (SIC) requirements
- 7) All Active mining WET testing frequency is returned to quarterly testing of both species
- 8) No new continuous flow sediment control structures receiving Active mine drainage will be eligible for SIOs for CRO purposes
- 9) Submit WET test and In-stream Monitoring reports thru ePortal and document on DMRs
- 10) Change of Effluent Limitation Table Numbers in the Permits
- 11) Updated language throughout the documents for additional clarification



# Whole Effluent Toxicity (WET)

## WET Testing Updates

John Eisiminger  
WET Coordinator



# Whole Effluent Toxicity (WET)

- Upon issuance of renewal coverage for sites with active mining, WET testing of both species will return to quarterly
- Check SMIS for mining status, and provide documentation if not accurate
- May apply for a reduction of monitoring frequency and/or species after passing two consecutive quarterly tests
- Inactive mines remain at current reporting frequency
- Don't submit your WET report with your NetDMR



# Whole Effluent Toxicity (WET)

- Document Type defaults to Monthly Operating Reports (MORs)
- No flow? Still need to submit something
- Submit reduced frequency and species requests to the WET coordinator

John.eisiminger@ky.gov  
502-782-6354



# Substantially Identical Outfalls (SIOs)

## SIO Requests

Aaron Crouch  
Permit Writer



# SIOs

- SIOs are justifiably similar outfalls
- There will be no new continuous flowing SIOs for CRO purposes
- Ponds on DNRs LTT list are not eligible for SIOs
- Requests shall be made with an eNOI and new SIO Request Form for RPA and CROs
- One SIO Form is required for each monitoring location

# SIO Request Form

## Substantially Identical Outfall Request Form

The KYGE4/KYGW4 permits allow for the use of Substantially Identical Outfalls (SIOs). These are outfalls that receive drainage from the same type of activities, utilize the same type of sediment control structures, are within the same watershed, are expected to produce similar effluents, and would be subject to the same effluent limitations. This form is used to request SIOs to be represented by a single reasonable potential analysis (RPA) sample, or to represent compliance representative outfalls (CROs).

### Instructions

- This form can only be used for one representative outfall at a time. Please submit additional forms for each representative outfall.
- To add more rows, click the plus that appears when hovering near the left edge of the table.
- The same signatory requirements are required as in the eNOI.
- There will be no new continuous flowing SIOs for CRO purposes.

### Substantially Identical Outfall Information

KPDES No:

SIO Outfall No.:

Is this for RPA or CRO?

Comments:

Please leave comments here.

| KPDES Outfall No. | DNR No. | DNR Pond No. | Outfall Type <sup>1</sup> | Design Flow (MGD) | Drainage Type <sup>2</sup> | Types of Activities <sup>3</sup> |
|-------------------|---------|--------------|---------------------------|-------------------|----------------------------|----------------------------------|
|                   |         |              |                           |                   |                            |                                  |
|                   |         |              |                           |                   |                            |                                  |
|                   |         |              |                           |                   |                            |                                  |
|                   |         |              |                           |                   |                            |                                  |
|                   |         |              |                           |                   |                            |                                  |
|                   |         |              |                           |                   |                            |                                  |

The first row of the table is to identify the representative outfall being sampled, each subsequent row are the outfalls being represented by it.

<sup>1</sup>Outfall Type: Continuous (C) or Non-continuous (NC)

<sup>2</sup>Drainage Type: UGNC, UGC, CSMD, NSMD, SSMR, RA, and PPAA

<sup>3</sup>List the types of activities taking place within the contributing drainage area of each outfall, including the coal seams mined, overburden characteristics, mining methods, etc.

Signature:

Date:

There will be no new continuous flowing SIOs



# Transitioning Outfall Status

Transitioning to RA or Removal

Amy Van Horne





# Transitioning to Reclamation Area Status

## To Transition to RA:

- 1) No drainage from:
    - Active mine areas,
    - Underground mines, or
    - Prep Plants; and
  - 2) Substantially in Compliance
  - 3) An RPA sample of **Active** mine drainage is required from continuous flowing structures
- Provide certification that these requirements are met using the eNOI
  - Reporting of RA requirements shall not commence before DOW's approval



# Release from Monitoring Requirements

- Provide DNR approval documentation
- Prior to removal, outfall must meet RA criteria
- Provide certification that these requirements are met using the eNOI
- Reporting of monitoring requirements continues until DOW modifies permit coverage



# Total Release from Permit Requirements

- To terminate the KPDES permit, submit DNR approved Phase III SMCRA Bond Release for the entire permitted area.
- Reporting of monitoring requirements continues until the notification of KPDES Inactivation is issued.
- For release of a shared outfall, submit the RAM 56 agreement with an eNOI.

# eNOI Access

## Accessing eNOI Form

Jennifer Thompson  
Permit Writer



# Access to eForms via KOG

OneStop was replaced by the Kentucky Online Gateway (KOG) as the state portal for access to all electronic forms.

- Your OneStop account content should have moved to KOG
- Go to KOG website: <https://kog.chfs.ky.gov/home/>
- Create a KOG account (select “I am a citizen”)
- If you had a OneStop account, login to KOG using your OneStop **email address** and OneStop **password**
- If you have never created an account before, you will need to select “Create An Account”
  - You will receive an Account Verification email with a link to the Sign In Screen.



# Using eForm Transaction IDs

Will my transaction ID generate a new form?

- If eForm was created before Feb 6, 2017: Yes\*
  - \*unless there are typos (!) in the transaction ID
- If eForm was created on or after Feb 6, 2017: **only if you created the form or the owner (creator) gave you access**

Access to eForm

- Form creator can assign access in dashboard
  - Click on Submittal ID to open Form Details page
  - Scroll down to “Assign Submittal” and type or select email of person receiving access (they must have a KOG acct)



# If You Have Problems

## Creating your KOG account

- Be sure that you are using Google Chrome
- Clear your browser history and try again

## Other KOG issues (Reset OneStop password, etc.)

- Contact the KOG Helpdesk:
  - [KOGhelpdesk@ky.gov](mailto:KOGhelpdesk@ky.gov) (502-564-0104, ext 2)

## Using a Transaction ID

- If cutting and pasting, delete any spaces before or after ID #
- If you typed the number in manually, check to make sure you have not substituted “l” for “I”, “0” for “O”, “1” for “I”, etc.



# Application Process

## Completing eNOI Applications

Amy Van Horne





# Consolidated Permits

Requirements for existing and proposed consolidations

- 2 conditions:
  - Same (exact) permittee
  - Contiguous permits
- Both conditions must be met by December 31, 2019
- If not: You must break apart the consolidation
- When breaking apart consolidated permits:  
On the eNOI under “Reason for Submittal”, select  
“Application for New Permit Coverage”



# Shared Ponds

- Shared pond between two facilities, the most stringent monitoring requirements apply.
- RA limits only when the drainage areas of both ponds are in RA status
- Coverage letters for both facilities will need to match
- Please include shared ponds on all associated eNOIs using the **same coordinates**.

# Electronic Notice of Intent (eNOI)

- Submit eNOIs for renewals by December 31, 2019.
- Your current coverage will be administratively continued if application is received on time.
- The **full permit fee of \$1300** is due at the time of submittal. There are no more submittal and remainder fees.
- Use the Transaction ID from the solicitation letter or last issuance letter.
- Keep submittal #s for tracking purposes.

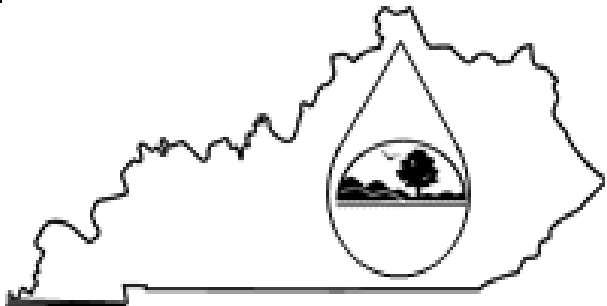


# eNOI

- If submitted since February 2017, access is only available to the creator of the application, or those the creator gave access to.
- If submitted before February 2017, anyone can access the form with ID.
- There are a few new fields on the form, if using a previous ID to populate the form, complete these additional fields before submitting.
- Update the pre-populated form to match the latest coverage letter. Remove all previously deleted outfalls, [and RPA samples](#).
- If you do not have access to the Transaction ID from a previously created eForm, you will need to create a new eNOI.



# eNOI Form

|  |   |   |
|--|---|---|
|             | <p><b>KENTUCKY POLLUTION DISCHARGE<br/>ELIMINATION SYSTEM (KPDES)</b></p> <p>Notice of Intent (NOI) for coverage of Coal Mining, Processing and Associated Activities in Kentucky Under the KPDES General Permit<br/>KYGE40000 and KYGW40000</p> <p><a href="#">Click here for Instructions</a></p> <p>(*) indicates a required field; (✓) indicates a field may be required based on user input or is an optionally required field</p> |   |
| Reason for Submittal: (*)<br>Renewal of coverage with no modifications                       | Agency Interest ID: (✓) <input type="text"/>  | KPDES Permit ID: (✓) <input type="text"/> |
| Describe the activities associated with this coverage being sought: (*) <input type="text"/> |   |   |
| ELIGIBILITY:   |   |   |

# eNOI Requirements

- We have expanded the “Reason for Submittal” drop down on the form. Choose from:
  - 1) Renewal of coverage with no modifications;
  - 2) Renewal of coverage with modifications;
  - 3) Application for new permit coverage;
  - 4) Modification to existing permit coverage;
  - 5) Response to Notice of Deficiency;
  - 6) WET Reduction only;
  - 7) RA status to removal only;
  - 8) Removal of CRO designation only;
  - 9) Update as-built coordinates only;
  - 10) Submittal of 2 year RPA sample only; or
  - 11) Transfer only
- **Choose the best option.** If proper fees are not paid, it could result in application termination.



# eNOI Requirements Cont.

- “Describe the activities associated with this coverage being sought”.
- If a transfer of ownership has occurred since our last issuance, please include the former SMCRA permit number in this field and attach DNR’s permit face.
- An effluent (RPA) sample is required for each existing or proposed outfall on the application. This sample cannot be older than 12 months from the date of submittal.
- When completing the effluent sample sections in the form, please be aware and report in **units** listed on the form.
- If a sample cannot be obtained from a non-continuous flow structure, use Section V of the form and you will be subject to the 2 year requirement.
- Attachments can include a coverage letter
- KPDES map flow lines: show inflow for UG and PPAA and outflow for all
- **New fields such as: Is outfall constructed?, and Date of Sample**
- Attachments still do not save so they must be uploaded just prior to signature.
- **If 2 year sample owed, renewal RPA can satisfy req’t**



# Discharge Monitoring Reports (DMRs)

## DMR Updates and NODI Codes

Crystal Dennis  
DMR Coordinator  
502-782-7093





# Discharge Monitoring Reports (DMRs)

- No Data Indicator (NODI) Codes are used in EPA's Integrated Compliance Information System (ICIS) to report a No Data on a DMR. The updated table lists the NODI Codes that DOW has determined to be appropriate for use on coal related DMRs.

| TABLE 10. |  |
|-----------|--|
| NODI Code | Definition   |
| 2         | Operation Shutdown/Outfall Removed                     |
| 5         | Frozen Conditions                                      |
| 9         | Conditional Monitoring – Not Required This Period      |
| B         | Below Detection Limit for Total Residual Chlorine only |
| C         | No Discharge   |
| E         | Analysis Not Conducted/No Sample                       |
| F         | Insufficient Flow For Sampling                         |
| I         | Land Applied   |
| J         | Recycled –Water-Closed System                          |
| K         | Natural Disaster                                       |
| M         | Laboratory Error                                       |
| N         | Not Constructed/Not Certified                          |
| V         | Weather Related  |



# DMR Updates

- You are required to submit the WET Testing and Annual Biology Reports to the DOW. You will now document these submittals on the DMRs.
- Submit all reports to the portal. The permit gives the proper portal folder.
- NODI Code 9 is used:
  - Fish Tissue limits not required (2 sets of each),
  - APEL effluent requirements (2 sets of each):
    - Settleable Solids,
    - Date of Storm Event, and
    - Date of Sample Collection



# Pre-Mining Survey

Pre-Mining Survey Map (PMSM)  
Is used for background biology

Chris Hart  
PMSM Coordinator  
502-782-6969

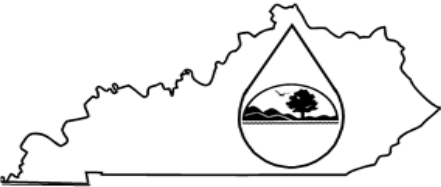


# PMSM - Who Must Submit

- KYGE4 – Eastern Kentucky
  - New and expanded active surface mining areas draining to a continuous flowing structure
  - New and expanded coal preparation plant
  - New underground mine discharge
  - New and expanded discharge to an OSRW w/ T&E (segments and basins)

# PMSM Form

## FORM PMSM

|   |  |                   |              |           |
|---|--|-------------------|--------------|-----------|
|    | <p><b>KENTUCKY POLLUTION DISCHARGE<br/>ELIMINATION SYSTEM (KPDES)</b></p> <p><b>Pre-Mining Survey Map (PMSM) Form<br/>For<br/>In-stream Monitoring Permit Requirements</b></p> |                   |              |           |
| <p>New or expanded active surface mining areas draining to a continuous flow sediment control structure, new or expanded underground mines, and/or new or expanded coal preparation plants impose in-stream monitoring requirements as one means of determining compliance with the narrative water quality standard for specific conductance. These monitoring requirements include physical, chemical and biological data to be collected for each receiving stream impacted by the permitted activity. The permittee is required to conduct a minimum of a single pre-mining sampling event to establish the baseline conditions to which subsequent annual sampling events are compared to determine compliance. To ensure the data collected is complete, accurate, and representative of the receiving stream, the permittee is required to develop and submit a Pre-Mining Survey PMSM form and map for review and acceptance.</p>   |  |                   |              |           |
| <p>Physical/chemical samples are to be collected in accordance with the following Standard Operating Procedures (SOPs): (1) Sampling surface waters, (2) In situ Water Quality Measurements and Meter Calibration for Lotic Waters, (3) Sample Control and Management, and (4) Measuring Stream Discharge. Biological sampling shall be performed annually during the appropriate index period; i.e. Headwater – Feb 15th thru May 31st; Wadeable – May 1 thru Sept 30th. Biological samples shall be collected in accordance with: (1) Methods for Conducting Resource Extraction Individual Permit Intensive Surveys in Non-OSRW Streams of the Eastern Kentucky Coalfields; (2) Methods for Conducting Resource Extraction Individual Permit Intensive Surveys in Non-OSRW Streams of the Western Kentucky Coalfields. All biological activities shall be performed by a qualified biologist. These SOPs may be found at: <a href="https://eec.ky.gov/Environmental-Protection/Water/PermitCert/KPDES/Pages/Mining.aspx">https://eec.ky.gov/Environmental-Protection/Water/PermitCert/KPDES/Pages/Mining.aspx</a>.</p> |  |                   |              |           |
| <p>To assist the permittee in developing a PMSM and to allow for an expeditious review by DOW, this form has been developed to ensure all necessary information has been included. In addition to this form, the permittee shall attach the following document:</p>   |  |                   |              |           |
| <ul style="list-style-type: none"><li>• A PMSM Map illustrating all existing and proposed outfalls associated with the in-stream monitoring, hollow fills, and in-stream monitoring point locations.</li></ul>  |  |                   |              |           |
| <p><b>Reason for Submittal</b> (include the reason for the in-stream monitoring requirement):</p>   |  |                   |              |           |
| <p><b>SECTION I – PERMIT INFORMATION</b></p>  |  |                   |              |           |
| Agency Interest ID:   | KPDES Permit ID:   | SMCRA Permit No.: | DNR Actions: |           |
| <p><b>SECTION II – PERMITTEE INFORMATION</b></p>  |  |                   |              |           |
| Company Name:   | Contact Name:  |                   |              |           |
| Mailing Address:  | City:  | County:           | State:       | Zip Code: |
| E-mail Address:   | Telephone Number:  |                   |              |           |
| Facility coordinates:   | Latitude:  | Longitude:        |              |           |

Watch for updated SOPs



# PMSM Form

## FORM PMSM

| SECTION III – IN-STREAM MONITORING LOCATIONS INFORMATION |                      |          |           |                  |  |
|--|----------------------|----------|-----------|------------------|--|
| ID Number  | Receiving Water Name | Latitude | Longitude | Outfalls Covered |  |
|  |                      |          |           |                  |  |
|  |                      |          |           |                  |  |
|  |                      |          |           |                  |  |
|  |                      |          |           |                  |  |
|  |                      |          |           |                  |  |
|  |                      |          |           |                  |  |

At a minimum, one in-stream monitoring point directly below the outfall along with one downstream monitoring point of the receiving stream located after the confluence but above any tributaries is required. **If two locations are not feasible, please explain in the comments field below.**

**Comments:**

| SECTION V –PMSM FORM PREPARER INFORMATION |  |               |  |
|---|--|---------------|--|
| First Name:                               |  | Last Name:    |  |
| Mailing Address:                          |  | City:         |  |
| eMail Address:                            |  | State:        |  |
| Business Phone:                           |  | Company Name: |  |
| Zip Code:                                 |  |               |  |

| SECTION IV – CERTIFICATION   |                 |
|--|-----------------|
| I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted, is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. |                 |
| SIGNATURE:   | Title:          |
| First Name:  | Last Name:      |
| eMail Address:   | Signature Date: |
| Business Phone:  |                 |

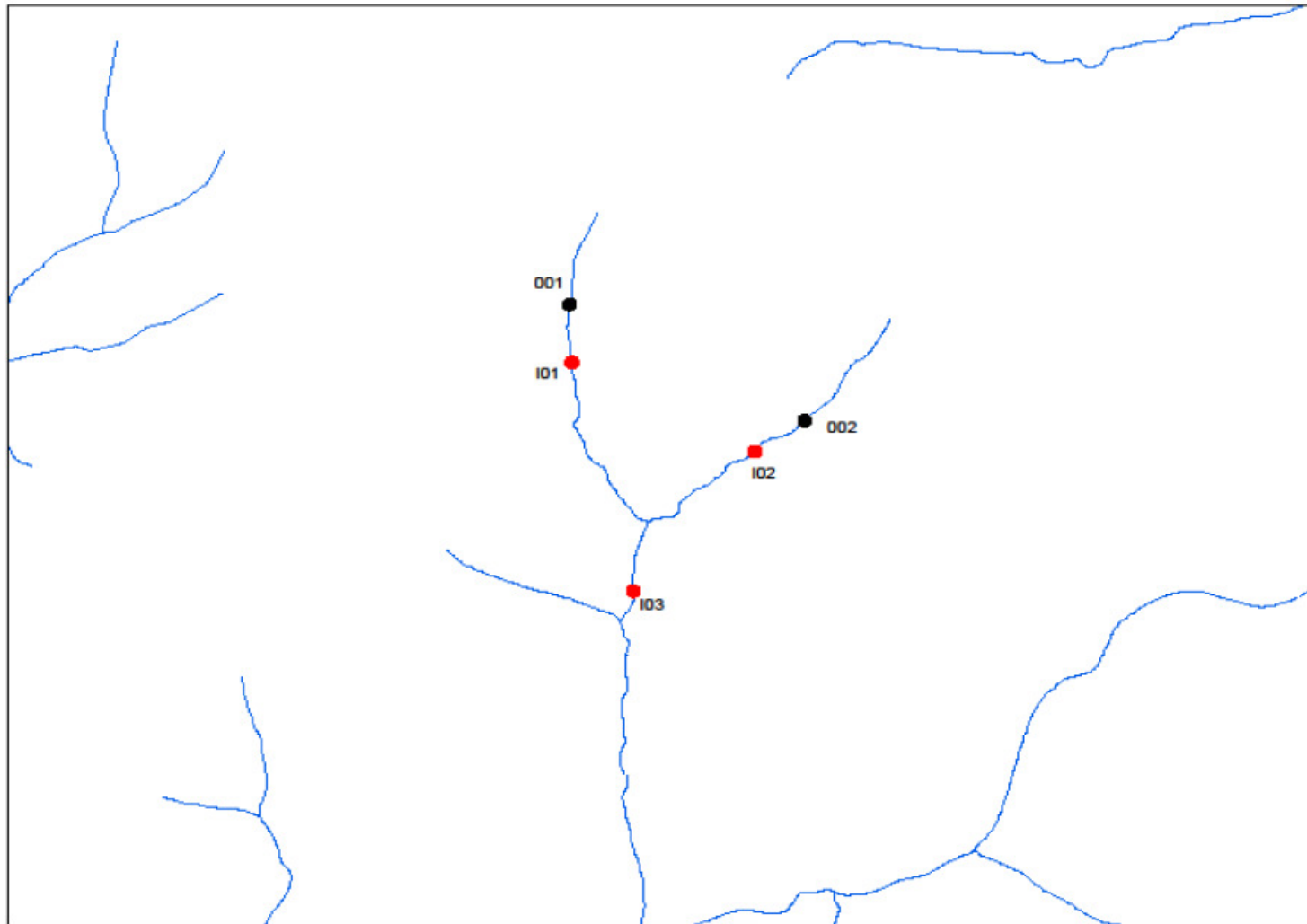
This completed application form and attachments should be emailed to: [SWPBSupport@ky.gov](mailto:SWPBSupport@ky.gov). Questions should be directed to the Surface Water Permits Branch at (502) 564-3410.



# PMSM Requirements

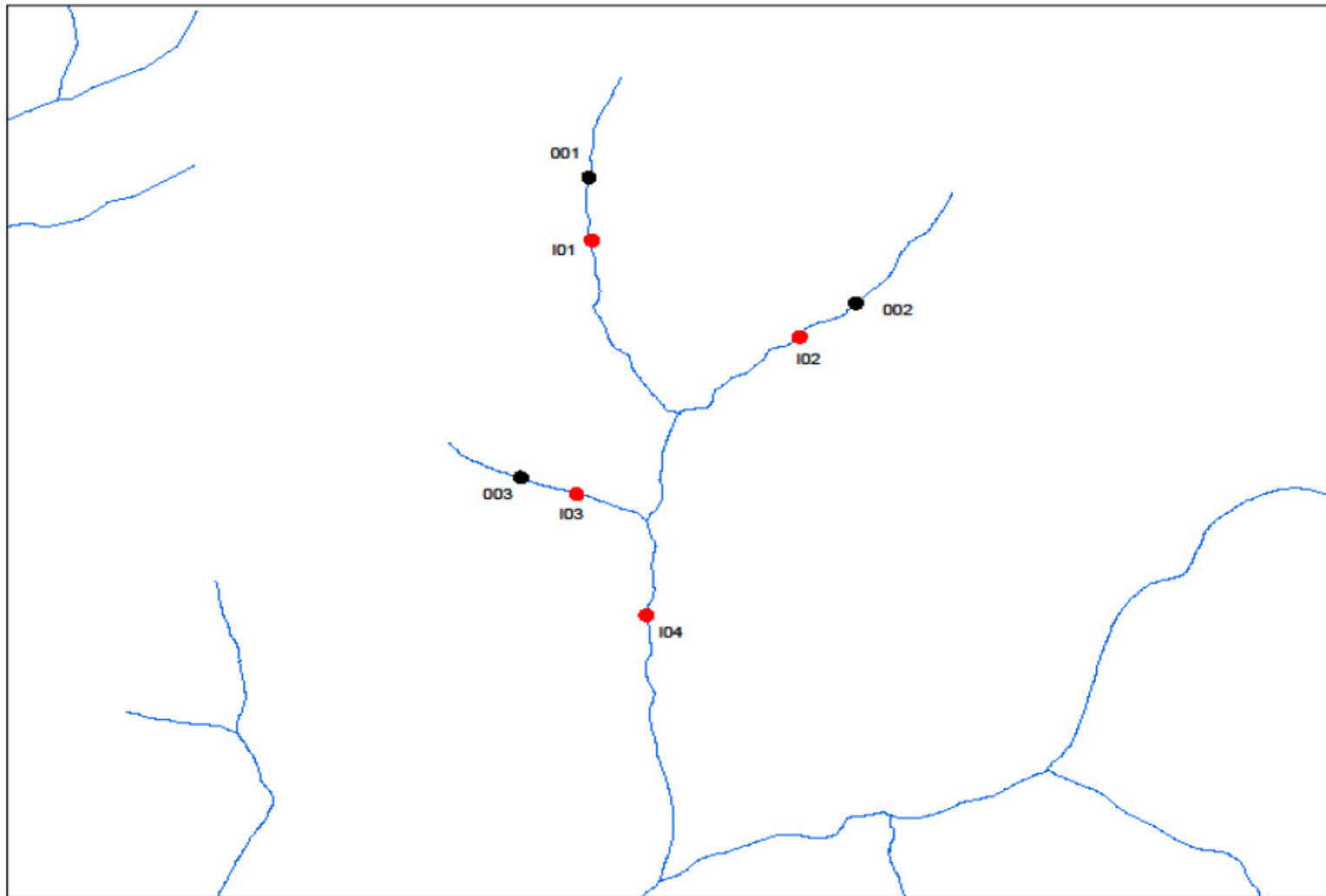
- Requirements
  - At a minimum, one in-stream monitoring point directly below the outfall, along with one downstream monitoring point of the receiving stream located after the confluence but above any tributaries.
  - In-stream identification number: start with I01, I02, I03, etc.
  - Coordinates must be in decimal degrees

# IMP Sample #1

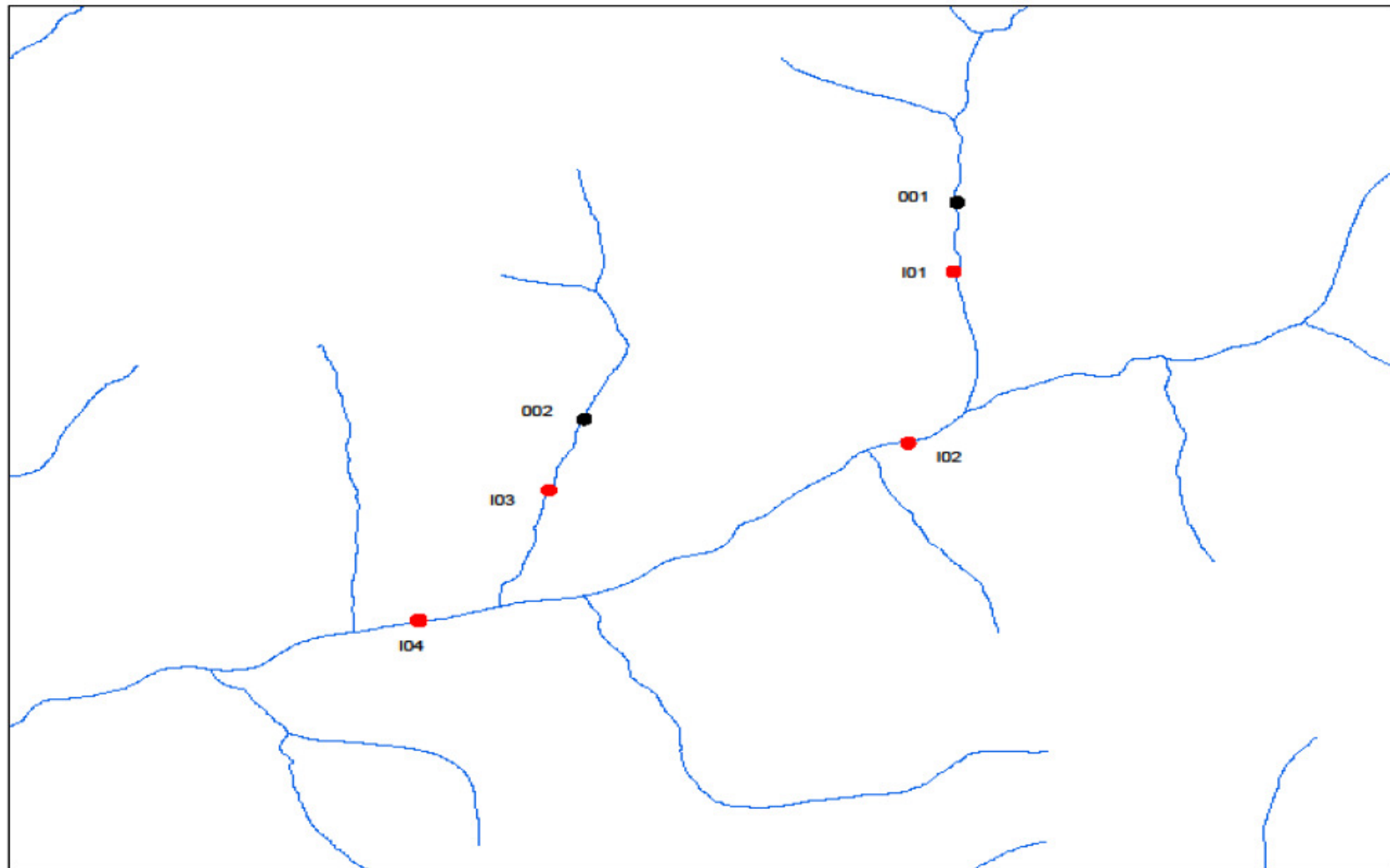




# IMP Sample #2



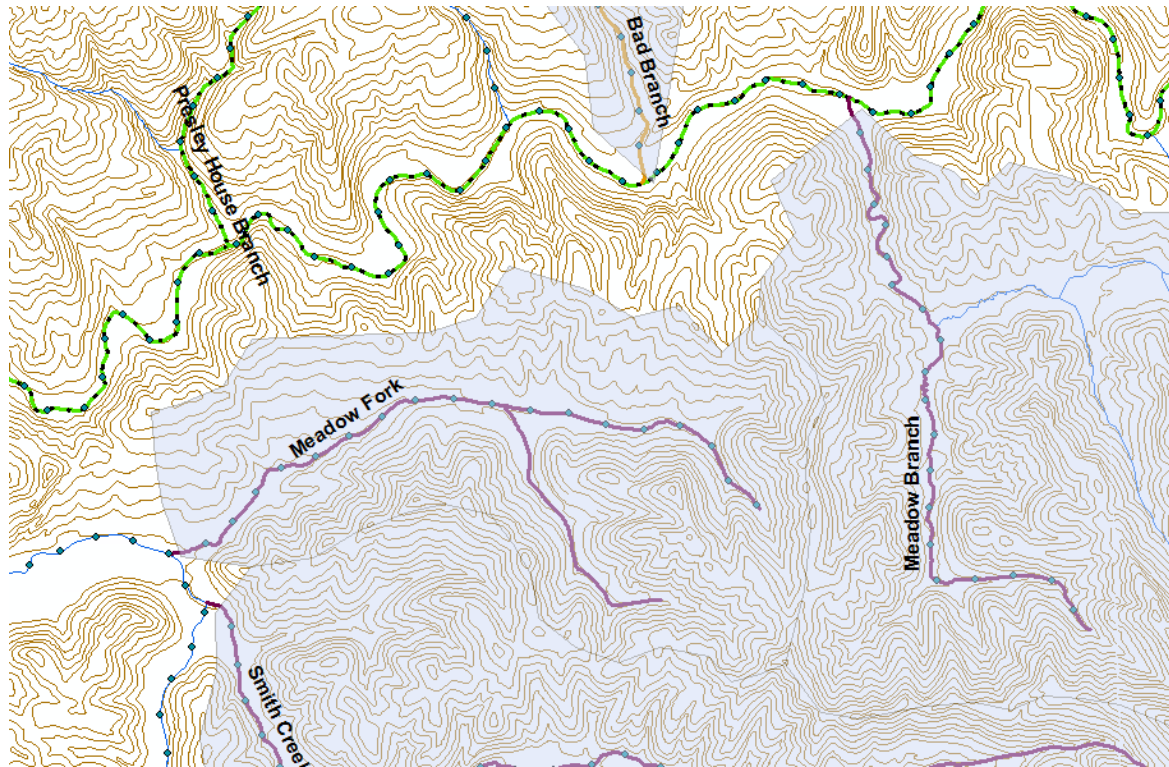
# IMP Sample #3



# OSRW w/ T&E

- OSRW w/ T&E

- All outfalls must be covered by the in-stream monitoring points and this includes non-continuous outfalls.



# PMSM Modifications

- Modifications
  - All previously approved in-stream monitoring points that are still required, must be in the form.
  - Any changes should be highlighted in yellow, such as coordinates, outfalls represented, etc.

# Biological Sampling

## Sampling Updates

Jacob Culp  
Environmental Biologist  
502-782-6932



# Biological Sampling SOP's-UPDATES

- Removed from website – SOP for GP's and IP's
- SOP's will be replaced by a “guidelines” document
  - Links to all necessary coal biological sampling SOP's
    - Macroinvertebrate sampling
    - Habitat
    - Water Chemistry sampling
- Guidelines document will still have an MBI calculation step-by step



# Biological Reports-New Permit

- DMR database will have a “Y” or “N” tab for report submittal. Document submittal of report under parameter “Report Due”
- Submit reports through ePortal. No paper copies needed by DOW
- Reports are now due by January 28<sup>th</sup> following the sampling year



# REMINDERS-Biological Sampling

- Index period (Feb 15-May 31 Headwater, May 1-Sept 30 Wadeable).
  - Waiting later in year can result in dry streams. Example-trying to sample a headwater and wadeable on the same trip in May
- New Permit Requirement -15 day window
  - Waiver can be requested for weather related reasons





# REMINDERS-Biological Sampling

- Make sure of no recent rains (don't sample if water is turbid or noticeably elevated)
- If no suitable habitat in reach (riffles) contact me
- 100 TNI (If not possible, let me know ASAP)
- Provide photos of stream in your report



# Laboratory Certification

## Laboratory Certification Requirements

Patrick Garrity  
Lab Certification  
502-782-6954



# Communication

- Facility must provide laboratory with all pertinent information necessary to ensure that the sample results are representative, accurate and of known quality.
- Include:
  - Parameter/ analyte (method if applicable)
    - Provide section of permit
  - Required reporting level
  - Report completion date(s)

# Facility Checks & Scheduling

- When contracting with a laboratory; ensure:
  - KY certified for specific parameter
  - Capable of reporting down to permit required reporting level
- Schedule sampling/ analysis with laboratory with a sufficient time 'cushion' – in the event of re-sampling and/or re-analysis
- Use sample bottles and coolers provided by the laboratory

# Field Testing

- Some analyses have a 15 minute hold time and must be tested in the field:
  - pH
  - Temperature
  - Turbidity
  - Total Residual Chlorine
  - Dissolved Oxygen
  - Sulfite
  - Conductivity (28 days)

# Report Requirements

- If laboratory populates netDMR with results – the permitted facility is required to verify prior to approving (electronic signature)
- Remember – the laboratory report form is the “copy of record”. Make sure to retain a copy for the required timeframes:
  - KPDES program – 3 years
  - LabCert program – 5 years



# Detection vs. Reporting Limit

- Detection Limit (MDL) – defined by EPA as “99% confidence that analyte is present”. As the concentration’s numeric value increases, so does its accuracy.
- Reporting Level (MRL) – analyte is present and the concentration’s numeric value is verified by calibration (or standard).

# Results of Known Quality

- Beneficial to permitted facility, DEP, laboratory and most importantly the environment
  - Minimizes re-sampling and/or re-analysis
  - Helps to keep costs at a minimum
  - Reduces use of resources
  - Saves time





# KY Version - DMR-QA Report Form

| Permitted Facility Information  |        |       |               |                 |
|---|--------|-------|---------------|-----------------|
| Due October 31st of Each Year   | State: | EY    | KPDES Number: | Reporting Year: |
| Permittee Name:   |        |       |               |                 |
| Current Permittee Mailing Address:  |        |       |               |                 |
| City:   |        |       |               |                 |
| State:  |        |       |               |                 |
| Zip Code:   |        |       |               |                 |
| Phone Number:   |        |       |               |                 |
| Fax Number:   |        |       |               |                 |
| E-mail Address:   |        |       |               |                 |
| For current DMR-0A year, the Permittee ensured that their laboratory(s) performing analyses |        |       |               |                 |
| Received PT Samples:  |        | Yes = |               |                 |
|   |        | No =  |               |                 |
| Complete and Accurate Data:   |        | Yes = |               |                 |
|   |        | No =  |               |                 |
| Received a Graded Report:   |        | Yes = |               |                 |
|   |        | No =  |               |                 |
| Certification by Permit Holder or Authorized Representative                                 |        |       |               |                 |
| Name of Certifying Official:  |        |       |               |                 |
| Title:  |        |       |               |                 |
| Signature (insert initials):  |        |       |               |                 |
| Date:   |        |       |               |                 |
| Address:  |        |       |               |                 |
| City:   |        |       |               |                 |
| State:  |        |       |               |                 |
| Zip Code:   |        |       |               |                 |
| Phone Number:   |        |       |               |                 |
| E-mail Address:   |        |       |               |                 |

| Analysis Test                          | Required | Laboratory Name | Lab ID |
|--|----------|-----------------|--------|
| <b>Microbiology</b>                    |          |                 |        |
| C. diff. MP or MPH                     |          |                 |        |
| Fecal Coliforms, MP or MPH             |          |                 |        |
| Total Coliforms, MP or MPH             |          |                 |        |
| <b>Toxicology</b>                      |          |                 |        |
| Aluminum                               |          |                 |        |
| Antimony                               |          |                 |        |
| Arsenic                                |          |                 |        |
| Boron                                  |          |                 |        |
| Beryllium                              |          |                 |        |
| Cadmium                                |          |                 |        |
| Chromium, total                        |          |                 |        |
| Chromium, hexavalent                   |          |                 |        |
| Cobalt                                 |          |                 |        |
| Copper                                 |          |                 |        |
| Iron                                   |          |                 |        |
| Lead                                   |          |                 |        |
| Manganese                              |          |                 |        |
| Mercury                                |          |                 |        |
| Mercury (Total Mercury)                |          |                 |        |
| Molybdenum                             |          |                 |        |
| Nickel                                 |          |                 |        |
| Nickel Hexams                          |          |                 |        |
| Nitrate                                |          |                 |        |
| Nitrogen                               |          |                 |        |
| Phosphorus                             |          |                 |        |
| Selenium                               |          |                 |        |
| Silver                                 |          |                 |        |
| Sulfur                                 |          |                 |        |
| Vanadium                               |          |                 |        |
| Zinc                                   |          |                 |        |
| <b>Demerits</b>                        |          |                 |        |
| Index BOD                              |          |                 |        |
| 5-day Carbonaceous BOD                 |          |                 |        |
| BOD                                    |          |                 |        |
| TSS                                    |          |                 |        |
| <b>Minerals</b>                        |          |                 |        |
| Alkalinity, total (CaCO <sub>3</sub> ) |          |                 |        |
| Chloride                               |          |                 |        |
| Fluoride                               |          |                 |        |
| Hardness, total (CaCO <sub>3</sub> )   |          |                 |        |
| Specific conductance (25°C)            |          |                 |        |

[illegible]

| Objectives / Conditions  | Evaluation           | Test Required                            | Laboratory Name | Lab No. |
|--|----------------------|--|-----------------|---------|
| (The Pathologist receives (C)microplates previously, 18MPF 25°C) | LTCD                 | Test Code 18 (up to 4 PFA Aldehyde 4000) |                 |         |
| Test Code 18 (up to 4 PFA Aldehyde 4000)                         |                      |  |                 |         |
| • (C)microplates 18P   | LTCD                 |  |                 |         |
| Test Code 18 (up to 4 PFA Aldehyde 4000)                         |                      |  |                 |         |
| • (C)microplates   | NORE (Survival)      |  |                 |         |
| • (C)microplates   | IC25*** (96h) Growth |  |                 |         |
| • (C)microplates   | NORE (24h) Growth    |  |                 |         |
| Test Code 18 (up to 4 PFA Aldehyde 4000)                         |                      |  |                 |         |
| • (C)microplates 18P   | NORE (Survival)      |  |                 |         |
| • (C)microplates 18P   | IC25*** (96h) Growth |  |                 |         |
| • (C)microplates 18P   | NORE (24h) Growth    |  |                 |         |
| Test Code 18 (up to 4 PFA Aldehyde 4000)                         |                      |  |                 |         |
| (18a - 18MPF 25°C)   | LTCD                 |  |                 |         |
| Test Code 20 (up to 4 PFA Aldehyde 2000)                         |                      |  |                 |         |
| (18a - 20N DRAW)   | LTCD                 |  |                 |         |
| Test Code 21 (up to 4 PFA Aldehyde 2000)                         |                      |  |                 |         |
| (18a - 18MPF)  | NORE (Survival)      |  |                 |         |
| (18a - 18MPF)  | IC25*** Reproduction |  |                 |         |
| (18a - 18MPF)  | NORE Reproduction    |  |                 |         |
| Test Code 21 (up to 4 PFA Aldehyde 2000)                         |                      |  |                 |         |
| (18a - 20N DRAW)   | NORE (Survival)      |  |                 |         |
| (18a - 20N DRAW)   | IC25*** Reproduction |  |                 |         |
| (18a - 20N DRAW)   | NORE Reproduction    |  |                 |         |
| Test Code 21 (up to 4 PFA Aldehyde 2000)                         |                      |  |                 |         |
| - 18MPF 25°C   | LTCD                 |  |                 |         |
| Test Code 20 (up to 4 PFA Aldehyde 2000)                         |                      |  |                 |         |
| 18MPF 25°C   | LTCD                 |  |                 |         |

Version 1.0

\* Lab Types: C = Commercial; F = Federal; G = Local Government; I = Industrial; O = Other; S = State



# DMR-QA Report Form

- Provides DOW with sufficient information to maintain State's DMR-QA Waiver from EPA
- Flexibility - waiver allows facilities to perform required proficiency test anytime during the year
- Provides additional options to facilities and their laboratories for re-testing
- Saves laboratories time and resources
- Reduces costs



# CTAB

## Field Operations Branch Inspections, Investigations and Compliance for Coal

Sarah Jon Gaddis, P.G.  
Branch Manager  
502-782-6953

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Field Supervisor  
606-435-6022



# Best Management Practices (BMP)

- Modification to BMP Plan (BMPP) requirements:
  - If site is undisturbed, BMPP shall be in place prior to disturbance
  - BMPP shall be available in hard copy or can be posted as an electronic copy
- BMP Triggers – Review BMPs when:
  - Benthic score lower than baseline;
  - Negative trend in WQ at in-stream monitoring location;
  - Exceedance of WET limitations.



# Enforcement

## Enforcement Overview

Lori Conway  
Team Leader – Enforcement  
502-782-6854



## Director's Office

Director – Michael Kroeger

ES Consultant Sr. – Mark Cleland

# COB

## COMPLIANCE & OPERATIONS BRANCH

Manager – Natalie Bruner

### Coal Team

Lori Conway (team leader)  
leader)

Marlon Bascombe

Linda Metts

Rich Seiler

Danny Truskot

### Major/Minor Team

Michelle Rice (team

Don Polly

## CIVIL ENFORCEMENT BRANCH

Manager – Justin Schul

### Team

Beth Clemons (team leader)

Tim Harrod

Camry Waters

Morgan Bishop

Chris Davis

### Team

Philip Kejzlar (team leader)

Don Hansel

Amber Hawkins

Wesley Dement

Nick Fields



# Common Error #1

# COMMUNICATION

(lack of)

# Improvements (1)

When a permittee receives their new General Permit (or any permit)...

## Share information

- Consultants
- Labs
- Anyone else as needed

Everyone needs to be on the same page

## Improvements (2)

If you notice your DMR does not match what your permit is requiring...it is your responsibility to ensure that DOW is notified, so that this gets fixed.

Permittees are responsible for what is required in their KPDES permit, not what is in NetDMR.

# Improvements (3)

- Know what you are responsible for and when due
  - Use available resources.
    - Division of Compliance Assistance, Water, Enforcement
    - Websites, Manuals, Guidance, FAQs
  - Ask additional questions if needed.
  - Need to update addresses and contacts.
- \* We all share the common goal of Compliance.

# Common Error #2

## **NODI code reporting errors.**

- Using the wrong code to describe why there is no data
- Still submitting DMRs into Doctree
- Blanks are the same as NON-receipt

\*NODI codes should reflect a true and accurate picture of why there is no data as required.

# Improvements

- EPA is currently working on improving the NODI code list
- The newest DMR Manual should be available by the end of 2019.
- The current DMR Manual (January 2017) can be found on Division of Water's Website

# Biggest Common Error

## COMMUNICATION



# DMR reviews

- DMRs currently being reviewed on a yearly basis.
  - *In 2019, COB is reviewing 2018 DMRs.*
  - *In 2020, COB will be reviewing 2019 DMRs.*

*(with the exceptions of CEI reviews)*
- Referrals are now based on overall demonstration of compliance with KPDES permit, not just a certain threshold of violations. (DENF still has option of referring the next year if improvements do not occur on same issues.)



# FYI

- NetDMR / ICIS / ECHO interface currently allows for more “real time” results to be known by all interested parties if needed. So the importance of getting it right the first time is highly valued.

**EVERYONE WANTS COMPLIANCE**

# Summary

- Communication is key.
- Know your permits.
- Know how to report.
- Communication is key.

Questions?

Comments?

# Contact Information

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